

1 QUINN EMANUEL URQUHART & SULLIVAN, LLP  
2 Charles K. Verhoeven (Bar No. 170151)  
charlesverhoeven@quinnemanuel.com  
3 David A. Perlson (Bar No. 209502)  
davidperlson@quinnemanuel.com  
4 Melissa Baily (Bar No. 237649)  
melissabaily@quinnemanuel.com  
John Neukom (Bar No. 275887)  
5 johnneukom@quinnemanuel.com  
Lindsay Cooper (Bar No. 254886)  
jordanjaffe@quinnemanuel.com  
6 50 California Street, 22<sup>nd</sup> Floor  
7 San Francisco, California 94111-4788  
Telephone: (415) 875-6600  
8 Facsimile: (415) 875-6700

9 Attorneys for WAYMO LLC

10 UNITED STATES DISTRICT COURT

11 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

12 WAYMO LLC,

CASE NO. 3:17-cv-00939-WHA

13 Plaintiff,

**DECLARATION OF LINDSAY COOPER  
IN SUPPORT OF WAYMO'S  
ADMINISTRATIVE MOTION TO SEAL  
PLAINTIFF WAYMO'S RESPONSE TO  
COURT INQUIRY RE ANY USE BY  
WAYMO OF EPHEMERAL  
COMMUNICATIONS AND NON-  
ATTRIBUTABLE DEVICES**

14 vs.

15 UBER TECHNOLOGIES, INC.;  
OTTOMOTTO LLC; OTTO TRUCKING  
16 LLC,

17 Defendants.

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1 I, Lindsay Cooper, declare as follows:

2       1. I am an attorney licensed to practice in the State of California and am admitted to  
 3 practice before this Court. I am an associate at the law firm Quinn Emanuel Urquhart & Sullivan,  
 4 LLP, counsel for the Plaintiff Waymo LLC (“Waymo”). I have personal knowledge of the matters set  
 5 forth in this Declaration, and if called as a witness I would testify competently to those matters.

6       2. I make this declaration in support of Waymo’s Administrative Motion to File Under  
 7 Seal (“Waymo’s Administrative Motion”) confidential information in its Response to Court Inquiry  
 8 Re Any Use By Waymo of Ephemeral Communications and Non-Attributable Devices (“Waymo’s  
 9 Response”). Waymo’s Administrative Motion seeks an order sealing the following materials:

<b>Document</b>	<b>Portions to Be Filed Under Seal</b>	<b>Designating Party</b>
Waymo’s Response	Highlighted in blue	Defendants
	Highlighted in green	Waymo
Exhibit 3 to Waymo’s Response	Entire document	Waymo
Exhibit 4 to Waymo’s Response	Entire document	Waymo
Exhibit 5 to Waymo’s Response	Entire document	Waymo
Exhibit 6 to Waymo’s Response	Entire document	Waymo
Exhibit 7 to Waymo’s Response	Entire document	Waymo
Exhibit 8 to Waymo’s Response	Entire document	Defendants
Exhibit 11 to Waymo’s Response	Entire document	Waymo

17       3. Waymo’s Response contains or refers to confidential business information, which  
 18 Waymo seeks to seal. Specifically, Waymo’s Response and Exhibits 3-7 and 11 contain confidential  
 19 information regarding Waymo’s internal security policies and security guidelines for employees. The  
 20 public disclosure of this information would reveal Google’s confidential security priorities, causing  
 21 heightened vulnerability of Google’s internal servers and systems to increased threats of unauthorized  
 22 access. If such information were made public, I understand that Waymo’s competitive standing would  
 23 be significantly harmed. Waymo’s request to seal is narrowly tailored to only the confidential  
 24 information.

25       4. Waymo’s Response and Exhibit 8 contain information that Defendants have designated  
 26 as confidential and/or highly confidential.  
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5. In addition, portions of the Response (highlighted in yellow) contain references to a letter submitted to the Court by the United States Attorney, which the Court has held “shall be kept under seal under further order of the Court.” (Dkt. 2260.)

4       6. Waymo takes no position on the merits of sealing the material designated by  
5 Defendants, and expects Defendants to file one or more declarations in accordance with the Local  
6 Rules.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed in San Francisco, California, on December 4, 2017.

By /s/ Lindsay Cooper  
Lindsay Cooper  
Attorneys for WAYMO LLC

## **SIGNATURE ATTESTATION**

Pursuant to Local Rule 5-1(i)(3), I attest under penalty of perjury that concurrence in the filing of this document has been obtained from Lindsay Cooper.

/s/ Charles K. Verhoeven  
Charles K. Verhoeven